

PATENT

Attorney Docket No. WMUS-5636 DIV 4 (2360-0030)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
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Gordon H. Epstein)
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Serial No.: 10/072,509)
)
Filed: February 5, 2002)
)
Group Art No.: 3763)
)
Examiner: Thanh, LoAn H.)
)
For: METHOD OF APPLYING)
COMPOSITION TO A SURFACE)

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INFORMATION DISCLOSURE STATEMENT ACCOMPANYING
A REQUEST FOR CONTINUED EXAMINATION

This Information Disclosure Statement is accompanied by a Request for Continued Examination (RCE) and RCE fee.

Pursuant to 37 C.F.R. §1.97, Applicant hereby calls the Examiner's attention to the references listed on the attached form, which may be material to the examination of this application. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

It is respectfully believed that copies of these references are not required pursuant to 37 C.F.R. 1.98(d) because, according to such rule, (1) this application relies, under 35 U.S.C. § 120, on the earlier filing dates of prior applications, as identified below; and (2) a copy of each references was provided in an Information Disclosure Statement filed in at least one of such prior applications in compliance with 37 C.F.R. 1.98(a) through (c), which applications are identified as follows:

- U.S. Patent No. 5,226,877, Serial No. 07/372,443 filed June 23, 1989; and
- U.S. Patent No. 6,394,975, Serial No. 08/863,883 filed May 28, 1987

Accordingly, copies of such references are not required to be provided in this application.

Nevertheless, copies of German reference DE 26 05 005 and its corresponding U.S. Patent 3,964,484 are enclosed. Further, copies of all remaining listed references are currently being prepared to send to the Examiner, and, accordingly, applicant respectfully requests that the Examiner contact the undersigned attorney if such copies do not reach the examiner at the time of reviewing this Information Disclosure Statement.

No inference should be drawn that any apparatus or method disclosed is equivalent to the subject invention. Also, the citation of the above-discussed reference is not to be construed as an assertion that more pertinent art could not possibly be in

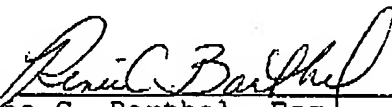
existence. Citation of any reference herein is not to be construed as an admission that any subject matter disclosed in the reference is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

This Information Disclosure Statement is being filed with an RCE and RCE fee, and, thus, no IDS fee should not be required. However, if an additional fee is required, the Commissioner is hereby authorized to charge payment of the applicable fee pursuant to 37 C.F.R. § 1.17(p) to Deposit Account No. 50-1039.

(A duplicate of this document is enclosed herewith.)

Respectfully submitted

Date: December 20, 2005

By: 
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Attorneys for Applicant

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Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/072,509
		Filing Date	2/5/2002
		First Named Inventor	Gordon H. Epstein
		Art Unit	3763
		Examiner Name	Loan H. Thanh
Sheet 2 of 4	Attorney Docket Number	WMUS-5636 DIV 4 (2360-0030)	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	Casillas et al., <i>British J. Haematology</i> (1982) 50:665-672	
	2	Epstein, G.H., et al., <i>Anal. Otol. Rhinol. and Laryngol.</i> (1986), Vol. 95, pp. 40-45	
	3	Feldman, M.C., et al., <i>M. J. Otol.</i> , (1988), Vol. 9, pp. 302-305	
	4	Feldman, M.C., et al., <i>Arch. Otolaryngol. - Head and Neck Surgery</i> (1988), Vol. 114, pp. 182-185	
	5	Feldman, M.C., et al., <i>Arch. Otolaryngol. - Head and Neck Surgery</i> (1988), Vol. 114, pp. 40-45	
	6	Feldman, M.C., et al., <i>Arch. Otolaryngol. - Head and Neck Surgery</i> (1987), Vol. 105, pp. 963-967	
	7	Harker, L.A., et al., <i>New England J. Med.</i> , (1972), Vol. 287, pp. 999-1005	
	8	Kazal, L.A., et al., <i>Proc. Sec. Exp. Biol. Med.</i> , (1963) pp. 989-994	
	9	Marquet, J., <i>J. Head & Neck Pathol.</i> , (1982), Vol. 3, pp. 71-72	
	10	Masri, M.A., et al., <i>Thromb. Hemeostas.</i> , (1983), Vol. 49, pp. 116-119	
	11	McCarthy, P.M., et al., <i>Mayo Clinic Pros.</i> , (1987), Vol. 62, pp. 317-319	

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not

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Sheet	3	of	4	Attorney Docket Number	WMUS-5636 DIV 4 (2360-0030)

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	12	Mocsson, M.W., et al., <i>Biochemistry</i> , (1966) Vol. 5, pp. 2829-2835	
	13	O'Connor, A.F., et al., <i>Otolaryngol Head Neck Surg.</i> , (1982), Vol. 90, pp. 347-348	
	14	Panis, J. <i>Head and Neck Pathol.</i> 3:94-95 (1982)	
	15	Portmann, M., <i>J. Head & Neck Pathol.</i> , (1982), Vol. 3, page 96	
	16	Redl, H., et al., "Basical Considerations and Theoretical Background of Fibrin Sealing." in European Society for Surgical Research. 14th Congress Barcelona - 79	
	17	Redl, H., et al., "Biomaterials 1980," Winter, G.D. et al., eds. (1982), <i>John Wiley & Sons, Ltd.</i> , pp. 669-675	
	18	Sataloff et al., <i>Laryngoscope</i> (1987) 97(9):111-112	
	19	Seelich, T., <i>J. Head & Neck Pathol.</i> , (1982), Vol. 3, pp. 65-69	
	20	Seelich, T., <i>Laryngoscope</i> , (1983), Vol. 93, pp. 1310-1313	
	21	Siedentop, K.H., et al., <i>Laryngoscope</i> , (1983), Vol. 93, 1310-1313	
	22	Siedentop, K.H., et al., <i>Laryngoscope</i> , (1985), Vol. 95, pp. 1074-1076	

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		Filing Date	2/5/2002
		First Named Inventor	Gordon H. Epstein
		Art Unit	3763
		Examiner Name	Loan H. Thanh
Sheet	4	of	4
		Attorney Docket Number	WMUS-5636 DIV 4 (2360-0030)

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite. No.¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	23	Silberstein, L.E., et al., <i>Transfusion</i> , (1988), Vol. 28, pp. 319-321	
	24	Staindl, O., <i>Ann Otol</i> , (1979), Vol. 88, pp. 413-418	
	25	Tissucol, immuno AG, specification sheet (date unknown)	
	26	Thorson, G.K., et al., <i>J. Surg. Oncol.</i> , (1983), Vol. 24, pp. 221-223	
	27	Waite, et al., <i>Biochemistry</i> (1966) 5:2829-2835	
	28	Waite, et al., <i>Science</i> , (1980) 212:1038-1040	
	29	Weis-Fogh, et al., "A device and a method for preparing autologous tissue adhesive," (date unknown)	
	30	Weisman, R.A., et al., <i>Laryngoscope</i> , (1987), Vol. 97, pp. 1186-1190	

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